

FIRST REGULAR SESSION

SENATE BILL NO. 319

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RUPP.

Read 1st time February 13, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1583S.011

AN ACT

To repeal section 303.024, RSMo, and to enact in lieu thereof two new sections relating to the modernization of certain information provided by insurance companies, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 303.024, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 303.024 and 379.012, to read as follows:

303.024. 1. Each insurer issuing motor vehicle liability policies in this state, or an agent of the insurer, shall furnish an insurance identification card to the named insured for each motor vehicle insured by a motor vehicle liability policy that complies with the requirements of sections 303.010 to 303.050, 303.060, 303.140, 303.220, 303.290, 303.330 and 303.370. **Such insurance identification card may be produced in either paper or electronic format. Acceptable electronic forms include display of electronic images on a cellular phone or any other type of portable electronic device.**

2. The insurance identification card shall include all of the following information:

- (1) The name and address of the insurer;
- (2) The name of the named insured;
- (3) The policy number;
- (4) The effective dates of the policy, including month, day and year;
- (5) A description of the insured motor vehicle, including year and make

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 or at least five digits of the vehicle identification number or the word Fleet if the
18 insurance policy covers five or more motor vehicles; and

19 (6) The statement "THIS CARD MUST BE CARRIED IN THE INSURED
20 MOTOR VEHICLE FOR PRODUCTION UPON DEMAND" prominently displayed
21 on the card.

22 3. A new insurance identification card shall be issued when the insured
23 motor vehicle is changed, when an additional motor vehicle is insured, and when
24 a new policy number is assigned. A replacement insurance identification card
25 shall be issued at the request of the insured in the event of loss of the original
26 insurance identification card.

27 4. The director shall furnish each self-insurer, as provided for in section
28 303.220, an insurance identification card for each motor vehicle so insured. The
29 insurance identification card shall include all of the following information:

30 (1) Name of the self-insurer;

31 (2) The word self-insured; and

32 (3) The statement "THIS CARD MUST BE CARRIED IN THE
33 SELF-INSURED MOTOR VEHICLE FOR PRODUCTION UPON DEMAND"
34 prominently displayed on the card.

35 5. An insurance identification card shall be carried in the insured motor
36 vehicle at all times. The operator of an insured motor vehicle shall exhibit the
37 insurance identification card on the demand of any peace officer, commercial
38 vehicle enforcement officer or commercial vehicle inspector who lawfully stops
39 such operator or investigates an accident while that officer or inspector is
40 engaged in the performance of the officer's or inspector's duties. If the operator
41 fails to exhibit an insurance identification card, the officer or inspector shall issue
42 a citation to the operator for a violation of section 303.025. A motor vehicle
43 liability insurance policy, a motor vehicle liability insurance binder, [or] receipt,
44 **or a photocopy or an image displayed on a mobile electronic device**
45 which contains the policy information required in subsection 2 of this section,
46 shall be satisfactory evidence of insurance in lieu of an insurance identification
47 card. **The display of an image of the insurance card on a mobile**
48 **electronic device shall not serve as consent for such officer, inspector,**
49 **or other person to access other contents of the mobile electronic device**
50 **in any manner other than to verify the image of the insurance card. As**
51 **used in this section, the term "mobile electronic device" means any**

52 **small handheld computing or communications device that has a display**
53 **screen with a touch input or a miniature keyboard.**

54 6. Any person who knowingly or intentionally produces, manufactures,
55 sells, or otherwise distributes a fraudulent document, **photocopy, or image**
56 **displayed on a mobile electronic device** intended to serve as an insurance
57 identification card is guilty of a class D felony. Any person who knowingly or
58 intentionally possesses a fraudulent document **or photocopy** intended to serve
59 as an insurance identification card **or knowingly or intentionally uses a**
60 **fraudulent image displayed on a mobile electronic device** is guilty of a
61 class B misdemeanor.

379.012. Policies and endorsements for insurance as classified in
2 **section 379.010 that do not contain personally identifiable information**
3 **may be mailed, issued, delivered, or posted on the insurer's website. If**
4 **the insurer elects to post such insurance policies and endorsements on**
5 **its website in lieu of mailing, issuing, or delivering them to the insured,**
6 **it must comply with all of the following conditions:**

7 (1) **The policy and endorsements must be easily accessible and**
8 **remain that way for as long as the policy is in force;**

9 (2) **After the expiration of the policy, the insurer must archive**
10 **its expired policies and endorsements and make them available upon**
11 **request;**

12 (3) **The policies and endorsements must be posted in a manner**
13 **that enables the insured to print and save the policy and endorsements**
14 **using programs or applications that are widely available on the**
15 **Internet and free to use;**

16 (4) **The insurer must provide notice, in the manner it customarily**
17 **communicates with an insured, at the time of issuance of the initial**
18 **policy forms and any renewal forms of a method by which insured may**
19 **obtain, upon request and without charge, a paper or electronic copy of**
20 **their policy or endorsements;**

21 (5) **On each declarations page issued to an insured, the insurer**
22 **must clearly identify the exact policy and endorsement forms**
23 **purchased by the insured; and**

24 (6) **The insurer must provide notice, in the manner it customarily**
25 **communicates with an insured, of any changes to the forms or**

26 endorsements, and of the insured's right to obtain, upon request and
27 without charge, a paper or electronic copy of such forms or
28 endorsements.

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